

Practitioner's Docket No. 1956/126

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#66P/2172  
6-88-2  
PATENT  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Wagner, Michael P.

Application No.: 09/480,390

Filed: 01/11/2000

For: System, Device, and Method for Providing

Mutual Exclusion for Computer System Resources

Group No.: 2172

Examiner: To, B.

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JUN 25 2002

Technology Center 2100

Commissioner for Patents  
Washington, D.C. 20231

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

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transmitted by facsimile to the Patent and Trademark Office.

Date: June 14, 2002

Signature

Jeffrey T. Klayman

(type or print name of person certifying)

is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

### FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)			(Col. 2)		(Col. 3)	OTHER THAN A SMALL ENTITY	
Claims Remaining After Amendment			Highest No. Previously Paid For		Present Extra	Rate	Addit. Fee
Total	40	Minus	40	= 0		x \$18 =	\$0
Indep.	4	Minus	4	= 0		x \$80 =	\$0
First Presentation of Multiple Dependent Claim						+ \$270 =	\$0
						Total Addit. Fee	\$0

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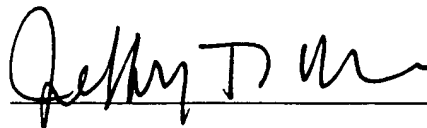
- \* If the entry in Col. 1 is less than the entry in Col. 2, write 00 in Col. 3.  
 \*\* If the Highest No. Previously Paid For IN THIS SPACE (Column 2, Row 1) is less than 20, enter 20.  
 \*\*\* If the Highest No. Previously Paid For IN THIS SPACE (Column 2, Row 2) is less than 3, enter 3.  
 The Highest No. Previously Paid For (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.

### FEE DEFICIENCY

5. If any additional extension and/or fee is required, charge Account No. 19-4972.  
 If any additional fee for claims is required, charge Account No. 19-4972.

Date: June 14, 2002



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael P. Wagner

Att'y Docket: 1956/126

Serial No.: 09/480,390

Art Unit: 2172

Filed: January 11, 2000

Examiner: To, B.

Title: SYSTEM, DEVICE, AND METHOD FOR PROVIDING MUTUAL  
EXCLUSION FOR COMPUTER SYSTEM RESOURCES

#6  
6-28-2  
Resp/Amnt  
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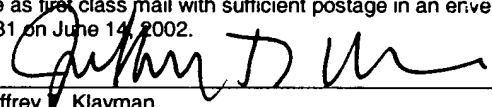
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Jeffrey V. Klayman

Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. 1.111**

Dear Sir:

Applicant respectfully submits this response to the Office Action dated March 18, 2002.

**REMARKS**

1. Claims 1-40 are pending in this application. No claims have been amended, canceled, or added. Therefore, claims 1-40 remain pending in this application.
2. The Examiner rejected claims 1-40 under 35 U.S.C. 103(a) as being unpatentable over Tucker (US Patent No. 6,223,204).